U.S. Army Corps of Engineers

DISTRICT OFFICE: NEW YORK DISTRICT (CENAN)

FILE NUMBER:

2002-01563

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State: New York County: Richmond

Center coordinates of site (latitude/longitude): lat:40-31-23.0160 lon:74-14-15.0000

Approximate size of area (parcel) reviewed, including uplands: 30 acres.

Name of nearest waterway: Arthur Kill

Name of watershed:

JURISDICTIONAL DETERMINATION

Completed:	Desktop determination	[X]	Date: Agust 30, 2006
	Site visit(s)	[]	Date(s):

Jurisdictional Determination (JD):

[X	[7] Preliminary JD - Based on available information, [X] there appear to be (or) [] there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
	Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:
	[] There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	[] There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
	[] There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. [] Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

[X] The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

[X] (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
[] (2) The presence of interstate waters including interstate wetlands¹.
[] (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):

[] (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
[] (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

[] (iii) which are or could be used for industrial purposes by industries in interstate commerce.

- [] (4) Impoundments of waters otherwise defined as waters of the US.
- [X] (5) The presence of a tributary to a water identified in (1) (4) above.
- [] (6) The presence of territorial seas.
- [X] (7) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Mill Creek & the adjacent wetlands are tributary to the Arthur Kill which is navigable.

	Lateral Extent of Jurisdiction: (Reference: 33 CF	R parts 328 and 329)
	[] Ordinary High Water Mark indicated by:	[X] High Tide Line indicated by:
	[] clear, natural line impressed on the bank	[] oil or scum line along shore objects
	[] the presence of litter and debris	[] fine shell or debris deposits (foreshore)
	[] changes in the character of soil	[] physical markings/characteristics
	[] destruction of terrestrial vegetation	[] tidal gages
	[] shelving	[X] other: Applicant's photos & drawings
	[] other:	
	[X] Mean High Water Mark indicated by:	
		ings; [] vegetation lines/changes in vegetation types.
	[A] survey to available datum, [] physical mark	ings, [] vegetation intes/changes in vegetation types.
	[] Wetland boundaries, as shown on the attached we	etland delineation map and/or in a delineation report prepared by:
	Basis For Not Asserting Jurisdiction:	
	[] The reviewed area consists entirely of uplands.	
	[] Unable to confirm the presence of waters in 33 C	FR part 328(a)(1, 2, or 4-7).
	[] Headquarters declined to approve jurisdiction on	
		that the following waters present on the site are not Waters of
	the United States:	t that the following waters present on the site are not waters of
	[] Waste treatment systems, including treatment	nonds or lagoons, pursuant to 33 CFR part 308 3
	[] Artificially irrigated areas, which would revert	
	[] Artificial lakes and ponds created by excavatir	
		or such purposes as stock watering, irrigation, settling basins, or
	rice growing.	
	[] Artificial reflecting or swimming pools or other	
	by excavating and/or diking dry land to retain	water for primarily aesthetic reasons.
	[] Water-filled depressions created in dry land in	cidental to construction activity and pits excavated in dry land for
	the purpose of obtaining fill, sand, or gravel u	nless and until the construction or excavation operation is
	abandoned and the resulting body of water me 328.3(a).	ets the definition of waters of the United States found at 33 CFR
	[] Isolated, intrastate wetland with no nexus to in	iterstate commerce
		e Natural Resources Conservation Service. Explain rationale:
	[] The converted cropiand, as determined by the	. Matara Resources Conservation Service. Explain fationate.
	[] Non-tidal drainage or irrigation ditches excava	ted on dry land. Explain rationale:
	[] Other (explain):	•
D 475 4	DELIDITED FOR HIDIODICTION A POTTO HIDI	TION () Not a second
DATA	REVIEWED FOR JURISDICTIONAL DETERMINA	
	[X] Maps, plans, plots or plat submitted by or on beh	* *
	[] Data sheets prepared/submitted by or on behalf of	
	[] This office concurs with the delineation report,	
	[] This office does not concur with the delineation	n report, dated , prepared by (company):
	[] Data sheets prepared by the Corps.	
	[] Corps' navigable waters' studies:	
	[] U.S. Geological Survey Hydrologic Atlas:	
	[] U.S. Geological Survey 7.5 Minute Topographic n	naps:
	[] U.S. Geological Survey 7.5 Minute Historic quadra	
	[] U.S. Geological Survey 15 Minute Historic quadra	
	[] USDA Natural Resources Conservation Service So	
	[] National wetlands inventory maps:	n ourvey.
	7.5	
	[] State/Local wetland inventory maps:	
	[] FEMA/FIRM maps (Map Name & Date):	
	[] 100-year Floodplain Elevation is: (NGVD)	
	[] Aerial Photographs (Name & Date):	
	[X] Other photographs: <u>Undated</u>	
	[] Advanced Identification Wetland maps:	
	[] Site visit/determination conducted on:	
	[] Applicable/supporting case law:	
	Other information (please specify):	
	F. 3	

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

DISTRICT OFFICE: NEW YORK DISTRICT (CENAN) NAN-2004-1318-WDE FILE NUMBER: PROJECT LOCATION INFORMATION: State New York County: Rensselaer Center coordinates of site (latitude/longitude): lat: 42.6551 lon: 73.7214 Approximate size of area (parcel) reviewed, including uplands: 20.9 acres. Name of nearest waterway: Quackenderry Creek Name of watershed: Hudson River JURISDICTIONAL DETERMINATION Completed: Desktop determination Date: Date(s): December 8, 2004 and June 1, 2006 Site visit(s) XJurisdictional Determination (JD): [X] Preliminary JD - Based on available information, [X] there appear to be (or) [] there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). [] Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: [] There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: . . [] There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: [] There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": [] The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": [] (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. [] (2) The presence of interstate waters including interstate wetlands¹.

- [](3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
- [] (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
- [] (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- [] (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- [] (4) Impoundments of waters otherwise defined as waters of the US.
- [X] (5) The presence of a tributary to a water identified in (1) (4) above.
- [] (6) The presence of territorial seas.
- [X] (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document

the rationale used to make adjacency determination: The site contains the Quackenderry Creek, unnamed tributaries to the creek, and wetlands adjacent to these streams. The Quackenderry Creek discharges into the Hudson River, a navigable waterway.

Lateral Extent of Jurisdiction: (Reference: 33 CFR parts	328 and 329)
[X] Ordinary High Water Mark indicated by:	[] High Tide Line indicated by:
[X] clear, natural line impressed on the bank	[] oil or scum line along shore objects
[] the presence of litter and debris	[] fine shell or debris deposits (foreshore)
[X] changes in the character of soil	[] physical markings/characteristics
[X] destruction of terrestrial vegetation	[] tidal gages
[] shelving	[] other:
[] other:	[] outer.
[] outer.	
[] Mean High Water Mark indicated by:	
[] survey to available datum; [] physical markings; [] ve	getation lines/changes in vegetation types.
[X] Wetland boundaries, as shown on the attached wetlar Construction Company and Clark Patterson Associa	nd delineation map and/or in a delineation report prepared by: U.W. Marx ates.
Basis For Not Asserting Jurisdiction:	
[] The reviewed area consists entirely of uplands.	
[] Unable to confirm the presence of waters in 33 CFR part 3:	28(a)(1, 2, or 4-7).
[] Headquarters declined to approve jurisdiction on the basis	
[] The Corps has made a case-specific determination that the	
the United States:	
[] Waste treatment systems, including treatment ponds or la	agoons, pursuant to 33 CFR part 328.3.
[] Artificially irrigated areas, which would revert to upland	
[] Artificial lakes and ponds created by excavating and/or of	
retain water and which are used exclusively for such purp	
rice growing.	
[] Artificial reflecting or swimming pools or other small or	namental bodies of water created
by excavating and/or diking dry land to retain water for p	
[] Water-filled depressions created in dry land incidental to	
the purpose of obtaining fill, sand, or gravel unless and u	
abandoned and the resulting body of water meets the defi	nition of waters of the United States found at 33 CFR
328.3(a).	
[] Isolated, intrastate wetland with no nexus to interstate co	
[] Prior converted cropland, as determined by the Natural F	
[] Non-tidal drainage or irrigation ditches excavated on dry	land. Explain rationale:
[] Other (explain):	
DATA REVIEWED FOR JURISDICTIONAL DETERM	INATION (mark all that apply):
[X] Maps, plans, plots or plat submitted by or on behalf of the	
[X] Data sheets prepared/submitted by or on behalf of the app	
[] This office concurs with the delineation report, dated	, prepared by (company):
[] This office does not concur with the delineation report, d	ated , prepared by (company):
[] Data sheets prepared by the Corps.	,
[X] Corps' navigable waters' studies: Listing for Hudson Rive	r
[] U.S. Geological Survey Hydrologic Atlas:	
[X] U.S. Geological Survey 7.5 Minute Topographic maps: T	roy South Quadrangle
[] U.S. Geological Survey 7.5 Minute Historic quadrangles:	
[] U.S. Geological Survey 15 Minute Historic quadrangles:	
[X] USDA Natural Resources Conservation Service Soil Surv	ey: Rensselaer County Soil Survey
[] National wetlands inventory maps:	
[X] State/Local wetland inventory maps: Troy South Quadran	gle
[] FEMA/FIRM maps (Map Name & Date):	
[] 100-year Floodplain Elevation is: (NGVD)	
[] Aerial Photographs (Name & Date):	
[X] Other photographs (Date): in report dated January 30, 200	00
[] Advanced Identification Wetland maps:	

- [X] Site visit/determination conducted on: December 8, 2004 and June 1, 2006
- [] Applicable/supporting case law:
- [] Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

DISTRICT OFFICE: NEW YORK DISTRICT (CENAN) FILE NUMBER: NAN-2006-3284-WSH PROJECT LOCATION INFORMATION: State: New York County: Saratoga Center coordinates of site (latitude/longitude): lat: 42.89508 lon: -73.87010 Approximate size of area (parcel) reviewed, including uplands: 15 acres. Name of nearest waterway: Wetlands Name of watershed: Hudson-Hoosic. NY,MA,VT JURISDICTIONAL DETERMINATION Desktop determination Date: Completed: Date(s): 10-16-06 Site visit(s) [X]Jurisdictional Determination (JD): [X] Preliminary JD - Based on available information, [X] there appear to be (or) [] there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). [] Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: [] There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: [] There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: [] There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. [] Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": [] The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": [](1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. [] (2) The presence of interstate waters including interstate wetlands¹. [] (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: The water within the wetlands within the project flow into the Cooley Kill which flows into the Dwass Kill, which flows into the Anthony Kill, which flows into the Hudson River which is currently a navigable waterway.

[X] (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)						
[] Ordinary High Water Mark indicated by:	[] High Tide Line indicated by:					
[] clear, natural line impressed on the bank	[] oil or scum line along shore objects					

[] (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
[] (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
[] (iii) which are or could be used for industrial purposes by industries in interstate commerce.

[] (4) Impoundments of waters otherwise defined as waters of the US. [] (5) The presence of a tributary to a water identified in (1) - (4) above.

[] (6) The presence of territorial seas.

[] the presence of litter and debris [] changes in the character of soil [] destruction of terrestrial vegetation [] shelving [] other:	[] fine shell or debris deposits (foreshore) [] physical markings/characteristics [] tidal gages [] other:						
[] Mean High Water Mark indicated by: [] survey to available datum; [] physical markings; [] vegetation lines/changes in vegetation types.							
[X] Wetland boundaries, as shown on the attached wetland deli	neation map and/or in a delineation report prepared by:						
Basis For Not Asserting Jurisdiction: [] The reviewed area consists entirely of uplands. [] Unable to confirm the presence of waters in 33 CFR part 328 [] Headquarters declined to approve jurisdiction on the basis of [] The Corps has made a case-specific determination that the fo the United States: [] Waste treatment systems, including treatment ponds or lag [] Artificially irrigated areas, which would revert to upland if [] Artificial lakes and ponds created by excavating and/or dik retain water and which are used exclusively for such purpor rice growing. [] Artificial reflecting or swimming pools or other small orna by excavating and/or diking dry land to retain water for pri [] Water-filled depressions created in dry land incidental to co the purpose of obtaining fill, sand, or gravel unless and unti abandoned and the resulting body of water meets the defini 328.3(a). [] Isolated, intrastate wetland with no nexus to interstate com [] Prior converted cropland, as determined by the Natural Res [] Non-tidal drainage or irrigation ditches excavated on dry la [] Other (explain):	Ray CFR part 328.3(a)(3). Relowing waters present on the site are not Waters of soons, pursuant to 33 CFR part 328.3. The irrigation ceased. The irrigation, settling basins, or se						
DATA REVIEWED FOR JURISDICTIONAL DETERMIN [X] Maps, plans, plots or plat submitted by or on behalf of the applica [] Data sheets prepared/submitted by or on behalf of the applica [] This office concurs with the delineation report, dated, prepared by the Corps. [] This office does not concur with the delineation report, dated prepared by the Corps. [] Corps' navigable waters' studies: [] U.S. Geological Survey Hydrologic Atlas: [] U.S. Geological Survey 7.5 Minute Topographic maps: [] U.S. Geological Survey 7.5 Minute Historic quadrangles: [] U.S. Geological Survey 15 Minute Historic quadrangles: [] U.S. Geological Survey 16 Minute Historic quadrangles: [] U.S. Geological Survey 17 Minute Historic quadrangles: [] U.S. Geological Survey 18 Minute Historic quadrangles: [] U.S. Geological Survey 19 Minute Historic quadrangles: [] U.S. Geological Survey 19 Minute Historic quadrangles: [] U.S. Geological Survey 19 Minute Historic quadrangles: [] U.S. Geological Survey 10 Minute Historic quadra	oplicant. nt. ared by:						

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION

U.S. Army Corps of Engineers

DISTRICT OFFICE: NEW YORK DISTRICT (CENAN) FILE NUMBER: NAN-2006-3291-WDA PROJECT LOCATION INFORMATION: State: New York County: Otsego Center coordinates of site (latitude/longitude): lat:42-39-26 lon:74-57-37 Approximate size of area (parcel) reviewed, including uplands: 0.98 acre. Name of nearest waterway: Chase Creek Name of watershed: Upper Susquehanna JURISDICTIONAL DETERMINATION Completed: Desktop determination Date: October 23, 2006 [X]Site visits Date: [] Jurisdictional Determination (JD): [X] Preliminary JD - Based on available information, [X] there appear to be (or) [] there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). [] Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: [] There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: [] There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: [] There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. [] Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": [] The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": [] (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. [] (2) The presence of interstate waters including interstate wetlands¹. [] (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): [] (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. [] (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. [] (iii) which are or could be used for industrial purposes by industries in interstate commerce. [] (4) Impoundments of waters otherwise defined as waters of the US. [X] (5) The presence of a tributary to a water identified in (1) - (4) above. [](6) The presence of territorial seas. [] (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands. Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination: Chase Brook is a tributary to the Susquehanna River, which is a navigable waterbody. Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) [X] Ordinary High Water Mark indicated by: [] High Tide Line indicated by:

[X] clear, natural line impressed on the bank [] oil or scum line along shore objects [X] the presence of litter and debris [] fine shell or debris deposits (foreshore)

[X] changes in the character of soil[X] destruction of terrestrial vegetation[X] shelving[] other:	[] physical markings/characteristics [] tidal gages [] other:
[] Mean High Water Mark indicated by: [] survey to available datum; [] physical markings; [] veg	getation lines/changes in vegetation types.
[] Wetland boundaries, as shown on the attached wetland deli	ineation map and/or in a delineation report prepared by: ABD Engineering
Basis For Not Asserting Jurisdiction: [] The reviewed area consists entirely of uplands. [] Unable to confirm the presence of waters in 33 CFR part 32. [] Headquarters declined to approve jurisdiction on the basis of the United States: [] Waste treatment systems, including treatment ponds or laterational lakes and ponds created by excavating and/or distributed retain water and which are used exclusively for such purportice growing. [] Artificial reflecting or swimming pools or other small or by excavating and/or diking dry land to retain water for post and the purpose of obtaining fill, sand, or gravel unless and unabandoned and the resulting body of water meets the defination of the purpose of obtaining fill, sand, or gravel unless and unabandoned and the resulting body of water meets the defination of the purpose of obtaining fill, sand, or gravel unless and unabandoned and the resulting body of water meets the defination of the purpose of obtaining fill, sand, or gravel unless and unabandoned and the resulting body of water meets the defination of the purpose of obtaining fill, sand, or gravel unless and unabandoned and the resulting body of water meets the defination of the purpose of obtaining fill, sand, or gravel unless and unabandoned and the resulting body of water meets the defination of the purpose of obtaining fill, sand, or gravel unless and unabandoned and the resulting body of water meets the defination of the purpose of obtaining fill, sand, or gravel unless and unabandoned and the resulting body of water meets the defination of the purpose of obtaining fill, sand, or gravel unless and unabandoned and the resulting body of water meets the defination of the purpose of obtaining fill, sand, or gravel unless and unabandoned and the resulting body of water meets the defination of the purpose of obtaining fill, sand, or gravel unless and unabandoned and the resulting body of water meets the defination of the purpose of obtaining fill, sand, or gravel unless and unabandoned and the resulting fill	of 33 CFR part 328.3(a)(3). following waters present on the site are not Waters of agoons, pursuant to 33 CFR part 328.3. if the irrigation ceased. liking dry land to collect and coses as stock watering, irrigation, settling basins, or mamental bodies of water created rimarily aesthetic reasons. construction activity and pits excavated in dry land for ntil the construction or excavation operation is nition of waters of the United States found at 33 CFR mmerce. tesources Conservation Service. Explain rationale:
DATA REVIEWED FOR JURISDICTIONAL DETERMI [X] Maps, plans, plots or plat submitted by or on behalf of the [] Data sheets prepared/submitted by or on behalf of the applic [] This office concurs with the delineation report, dated [] This office does not concur with the delineation report, dated [] Data sheets prepared by the Corps. [] Corps' navigable waters' studies: [] U.S. Geological Survey Hydrologic Atlas: [X] U.S. Geological Survey 7.5 Minute Topographic maps: [] U.S. Geological Survey 7.5 Minute Historic quadrangles: [] U.S. Geological Survey 15 Minute Historic quadrangles: [] U.S. Astural Resources Conservation Service Soil Survey [] National wetlands inventory maps: [] State/Local wetland inventory maps: [] FEMA/FIRM maps (Map Name & Date): [] 100-year Floodplain Elevation is: (NGVD) [] Aerial Photographs (Name & Date): [] Other photographs (Date): [] Advanced Identification Wetland maps: [] Site visit/determination conducted on: [] Applicable/supporting case law: [] Other information (please specify):	applicant. cant. prepared by (company): ated , prepared by (company):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.